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October 10, 2016

**VIA ECF AND EMAIL**

Honorable Stuart M. Bernstein  
United States Bankruptcy Court  
Southern District of New York  
One Bowling Green  
New York, New York 10004-1408

Re: *Picard v. Tavlin* Adv. Pro. No. 10-05312 (SMB)

Dear Judge Bernstein:

I write in further support of my request to file a motion for summary judgment in the above case. When I first wrote to the Court, on October 7, 2016, I explained that the Trustee seeks to recover the sum of \$489,272 which constituted one check from Madoff dated January 26, 2007. While this check was drawn on the account of Doron Tavlin Trust, it was not payable to the account holder and the funds were never received by the account holder. Rather, the check was payable to Snow Becker Krauss P.C. and deposited into the firm's escrow account. See Exhibit A to my October 7, 2016 letter. As evident from Exhibit B to the complaint, not one penny of the funds was ever deposited into the Doron Tavlin Trust account. At the time I wrote my October 7, 2016 letter, I had not been provided with a copy of the documents that the Trustee had subpoenaed from Sterling National Bank, the bank used by Snow Becker Krauss P.C.

On October 5, 2016, at my request, the Trustee's counsel provided me with a disk of the documents that the Trustee received from Sterling in August (and obviously should have provided to me then). See the email exchange attached as Exhibit A hereto. We have searched through these documents and located a check from the Snow Becker Krauss P.C. escrow account to the Internal Revenue Service dated February 1, 2007 in the precise amount for which the Trustee sues the defendants: \$489,272. See Exhibit B hereto.

Given these documents, I believe that summary judgment in favor of the defendants is appropriate.

Yours respectfully

/s/ Helen Davis Chaitman

Helen Davis Chaitman

HDC:leb  
Encl.

cc: David J. Sheehan ([dsheehan@bakerlaw.com](mailto:dsheehan@bakerlaw.com))